ANTI-LAW

The Liquor Laws In Five Thousand Alleged to Be Obsolete.

The hearing with possibly sustaining decision of the demurrers to the indictments against E. M. Jones, for the murder of Mrs. Parmenter and of Mrs. Jones, was forestalled yesterday morning by Attorney General Andrews with the entering of a nolle prosequi in each

ings already stated, the Attorney General presented two new indictments just returned by the grand jury. Mr. Dunne objected to the arraignment of Jones under the new papers, on the ground that the grand jury was not properly constituted with F. J. Church as substitute for Samuel Parker foreman. The objection was overruled, and the defendant allowed to reserve his pleas until Monday.

MORE LAWS ATTACKED.

Judge Gear has been given the re-sponsibility of passing upon another set of laws whose validity has been attacked. These are the laws providing for the regulation and control of the liquor traffic,

On behalf of Manuel Silva, charged with selling liquor without a license, J. M. Vivas has moved to quash the complaint on the ground that the Organic Act requires new legislation on the subject by the Territorial Legislature, thus by implication repealing the

The ruling of the court was reserved

BISHOP EJECTMENT CASE.

Before Judge De Bolt the following jury was obtained to try the ejectment case of J. O. Carter et al., trustees of the estate of Bernice P. Bishop, deceased, vs. Lulia (w):

John S. Andrade, George H. Karratti. Benito Guerrero, J. H. Love, Milus W. Parkhurst, Charles B. Dwight, John Kuaana, E. E. Mossman, Edwin H. Paris, C. J. Falk, F. B. Angus and P. M. Lucas.

Holmes & Stanley appear for plaintiffs; Castle & Withington for defend-ant. Plaintiff rested and, at the close of the day's segsion, the defendant's

FITCH'S RETORT COURTEOUS.

Former Attorney General E. P. Dole and the defendant were among the witnesses in the Axtell-Hendrick damfige case before Judge Robinson. Loud and warm were some of the disputes over evidence. Thomas Fitch took occasion to resent a reference to himself as "Colonel Tom Fitch, the astute and shrewd counsel," by C. C. Bitting.

"For sixty-five years I have had six letters in my first name and nobody, except under circumstances of most intimate and friendly intercourse, is privileged to abbreviate my name."

NEW DIVORCE CASES.

Two divorce suits were filed by C. Ashford yesterday. Ann Perry asks for divorce from Antone Perry on grounds of habitual intemperance and extreme cruelty. They have a son of six, and a daughter of four son of six, and a daughter of four years of age. Sarah K. Vida prays for dissolution of marriage between herself and Daniel R. Vida, They have two sons, one two years and four months, and the other nearly one year Mrs. Vida in her complaint says

That at all times herein mentioned said libeliee has been, and he is now, strong, robust and healthy, and well able to provide this libellant and the said children of said parties with suitmaintenance; but that, despite such ability on his part, he, the said libeliee, has, for and during more than fourteen months last past, to wit, since the first day of July, 1902, utterly and entirely failed, neglected and refused to provide suitable, or any mainte-nance for this libellant, or for said children of said parties, or for any or either of them; and he doth still so fall, neglect and refuse."

HAGEY SUIT AGAIN.

The seemingly interminable Hagey cure contract cryse is up again. Rob-ertson & Wilder for plaintiff in the suit of Thomas M. Harrison vs. J. A. Magoon et al. have filed a motion to set a day for the hearing of the cause, which will be presented to Judge Rob-inson on Monday morning next.

TO DISMISS APPEAL.

In the action for summary possession of land, brought by Irene B. Cornwell against John F. Colburn, Robertson & Wilder for plaintiff move to digmiss the appeal of defendant on the ground the rent due at the time of trial of said action in the District Court, to wit, \$37.50, has not been paid nor has defendant given any security for the payment thereof.

MORTGAGE SALE DECREED. Judge Gear yesterday signed a decree of foreclosure and sale in the suit of W. C. Peacock & Co., Ltd., vs. H. C. Vida and Emma W. Vida. The rec. vida and Emma W. vida. The re-ceiver. L. C. Ables, is appointed as commissioner to sell the mortgaged property, which consists of the Call-fornia saloon, its fixtures and stock, as well as the lease of the premises up to February 27, 1905. Debt, interest, costs and attorneys' fee under the prodings amount to \$5,668.84, besides which interest is chargeable on the principal sum of \$4,909.29 until the date

RICH MEN'S SONS.

Willie: "If you've saved up enough for an automobile, why don't you get it?"

Bobbie: "Not yet. I'm saving up enough to pay for the people I run over."-Life.

HENDRICK CRUSADE MULCTED

Dollars for Axtell.

J. C. Axtell was awarded damages of five thousand dollars against H. E. Hendrick for malicious prosecution, by the verdict of a jury before Judge Robinson yesterday morning.

The defendant is proprietor of the Hawaiian Iron Fence and Monumental Co. The plaintiff was an agent of the Immediately on Judge Gear's releas- concern. On the 11th of April, 1902, ing the prisoner under these proceed- Hendrick had a warrant issued for the arrest of Axtell, on a charge of embezzling \$600, and Axtell was arrested and compelled to give \$1000 ball for his release. He was tried by the late District Magistrate W. L. Wilcox on April 15 and acquitted.

Axtell brought the suit for damages against Hendrick six days later, claiming ten thousand dollars. The jury aliows half that amount. P. M. Pond was foreman of the jury, which found the verdict after an absence of threequarters of an hour.

Thomas Fitch for defendant gave notice of motion for a new trial. C. C. Bitting appeared for plaintiff.

BOTH SIDES APPEAL.

Judge De Bolt yesterday heard and denied the motion of defendants to amend the verict, which was for themselves, in the ejectment case of Frank Godfrey, trustee, and Thomas Metcalf vs. Helen Rowland and others. Mr. Derby for defendants noted an excep-tion to the decision, while Mr. Wilder for the plaintiffs noted an exception to the court's ruling that the surplusage in the verdict was immaterial.

Plaintiffs filed a motion for a new

trial, which will be presented tomorrow

TO INSPECT SECRET RECORD. Edward Mitchell Jones, charged with murder in the first degree, by his attorneys, Robertson & Wilder and J. J. Dunne, yesterday filed the following

comes the said Edward Mitchell Jones, defendant herein, and moves the court here to direct the Attorney-General to allow his (said defendant's) attorneys to inspect the minutes of the proceedings of the grand jury, had with reference to the above entitled cause and in connection with the charge against this defendant and for which he has been indicted herein, and to direct said. Attorney General to furnish his said attorneys with a copy of such proceedings."

ANSWERS. In the partition suit of R. Kaleioka-moku Anahu and three other Anahus against James Anahu and seven other Anahus, James Anahu for himself answers, admitting the allegations in the bill and consenting that the prayer of

petitioners be granted. L. R. Medeiros and J. P. Rodrigues by their attorneys, Henry Hogan and Holmes & Stanley, answer with a complete denial the assumpsit complaint of Allen W. T. Bottomley, trustee.

LANAI RANCH ACCOUNTS. W. H. Pain, agent of Lanai ranch, FERRIS MAY YET

suit of Frederick H. Hayselden vs. Wm, August 14, 1900, to September 13, 1902, shows a balance to the good of \$9451.97. The trial balance sheet gives the net revenue as \$11,969.29.

SUPREME COURT CALENDAR.

There are forty-two cases on the calendar for the opening session of the October term of the Supreme Court beginning tomorrow. Their titles and nature are as follows, while half a dozen more are likely to be moved on the Henry J. Lyman et al. vs. Frank L.

Winter et al. Exceptions from Circuit Court. Fourth Circuit. Territory of Hawaii vs. Wong Tim.

Exceptions from Circuit Court, Fourth

W. C. Achi vs. Kapiolani Estate, Ltd. Original. Submission. Geo. Mundon vs. S. K. Kaeo. Appeal

from Circuit Court of Lihue. Kapiolani Estate, Ltd. vs. J. Coerper, Appeal from District Court, North Ko-

J. A. Magoon, Guardian, vs. Thomas Fitch. Error to Circuit Judge, First Circuit.

Guardianship of Rebecca P. Humeku. Appeal from Second Judge, First Cir-Lyle A. Dickey vs. Monolulu Rapid Transit & Land Co. Exceptions from

Circuit Court, First Circuit. R. W. McChesney et al. vs. Kona Sugar Co., Ltd., et al. Appeal from Circuit Judge, Third Circuit, Oahu Railway & Land Co. vs. Ewa

Plantation Co. et al. Original. Sub-Tai Lau vs. Pilipo Contrades. Ap-peal from Circuit Judge, Fifth Circuit. C. M. Cooke, Ltd. vs. Treasurer of

the Territory. Construction re Stamp In re Guardianship of Susan Brash. Kemilia Holt vs. Kaaukal. Error to Circuit Court, Fourth Circuit,

H. W. Flint vs. Nina I. Flint. Exceptions from Circuit Court, First Cir-

T. K. Lalakea vs. Hilo Sugar Co. Exceptions from Circuit Court, Fourth Circuit.

S. Ahmi vs. Annie Waller et al. Error to Circuit Court, First Circuit.
Jan Ban vs. Tsen Yim et al. Appeal from District Court of Honolulu. In the matter of the Information

against George A. Davis, Attorney-at-Territory of Hawaii vs. E. S. Cunha. Appeal from District Court of Hono-

In the matter of the Estate of J. F.

O. Barning. Appeal from Circuit Judge, First Circuit, Wm. Lono Austin vs. J. D. Holt, Jr., et al. Appeal from Circuit Judge, First

John D. Holt, Jr., vs. Wm. Lone Aus-Error to Circuit Judge, First Cir-

Cult.
J. N. K. Keola, Tax Collector, vs. Solomon Hale. Appeal from Circuit Court, Second Circuit.
S. B. Dole, as Governor et al., vs. H. E. Cooper, as Supt. of Public Works. Mandamus Appeal from Circuit Judge, First Circuit

First Circuit. In the matter of the Estate of Rob-

ert William Holt, Appeal from Cir-cuit Judge, First Circuit, W. C. Achi vs. J. G. Henrique. Ap-

peal from District Court of North Ko-Hawn, Com, & Sugar Co. vs. Wailu-

ku Sugar Co. Appeal from Circult Judge, First Circuit, Oahu Lumber and Building Co. vs. C. Ding Sing et al. Exceptions from Circuit Court, First Circuit.

Ane Hilo vs. Her Majesty Liliuoka-lani. Appeal from Circuit Test Appeal from Circuit, Judge First Maria Correla vs. L. M. Baldwin et

al. Appeal from District Court of Wal-Mahiki K. Ferreira vs. John Ferreira, Appeal from Circuit Judge, Second Cir-

Thomas Fitch vs. E. M. Watson, guardian ad litem. Error to Circuit Court, First Circuit.

Thos. E. Cook, Administrator, vs. Tsuchi Kanai, Exceptions from Cir-cuit Court, Fourth Circuit. Irene B. Cornwell vs. J. F. Colburn. Appeal from District Court of Hono-

Geo. H. Fairchild vs. W. G. Smith e Mandamus Appeal from Circuit

Kala vs. Harry T. Mills. Appeal from District Court of South Kona. Territory of Hawaii vs. B. H. Wright, Exceptions from Circuit Court, First Lum Sung et al. vs. Marion (Luning)

Hoyt, Exceptions from Circuit Court First Circuit. H. Hackfeld & Co., Ltd. vs. Hilo Railroad Co. Exceptions from Circuit Court, Fourth Circuit.

PUBLIC CASES.

Cases for the appellate court in which the public at large is interested are: Cooke vs. Treasurer, construction of Stamp Act; Dole et al. vs. Cooper, involving the validity of the Board of Public Institutions created by the County Act; Fairchild vs. Smith et al., whether voters have a right to register for the county election; also a number of tax appeals,

CHINESE PAY HOMAGE TO MOON

The full moon festival among the Chinese was in full blast yesterday id pace in the direction of the city, and Saturday, the welkin being frayed One of the workmen had taken esand Saturday, the welkin being frayed by the discharge of bombs and long strings of fire-crackers. The Chinese began celebrating on Saturday and height; face splotched with white ended last night. The various clubs marks from a skin disease; were a began celebrating on Saturday and around town kept open house during this time, and were at all times filled with Chinese celebrants in a holiday frame of mind. The club houses in all cases were elaborately decorated with bunting, principally vermillion, green and crimson, and huge lanterns. Fireworks were set off day and night, and the ear-splitting orchestras helped out the general attempt to create

ESCAPE HANGING

There was a report about the city vesterday that the death penalty imposed upon George Ferris for the murder of John Watson had been commuted to life imprisonment. Governor Dole stated, however, that the report was not true, and that he had not acted in the matter as yet. The appeal of Ferris for executive clemency has been before Governor Dole for several months, and a short time ago he obtained an opinion from the Attorney General as to his power to intercede in the matter. It is probable that a decision will be given shortly.

DON'T THROW FAIR MONEY AWAY

The absurdity of spending the entire appropriation for the St. Louis Exposition in the erection of a Hawalian building in a remote portion of the grounds, with no money left to provide exhibits is too glaring. That amount of money invested in judicious advertising and tourist soliciting would return many fold but it practically might as well be thrown away as to invest it in a remote and empty building at the St. Louis Fair.-Maul News.

Going to Hawaii.

Mr. Kay, the Trinidad sugar planter, will leave on the Kinau on Tuesday for a tour of the Hamakua and Hilo coast, after which be will visit Maui to inspect Mr. Baldwin's large sugar works at the H. C. & S. Co.'s planta-

Mr. Kay brought special letters of introduction from John Fowler & Co., of London, to Col. Macfarlane and Mr. Hedeman of the Honolulu Iron Works Co. Steam cultivation has recently been adopted on his sugar estate in with Fowler & Co.'s steam plows. He will visit the Experiment Station and the Honolulu Iron Works

JAP ROBBED AND SHOT ON MOANALUA ROAD

The Lone Chinese Bicycle Highwayman Commits Another Daring Daylight Crime.

A lone Chinese highwayman at Fu-keekai hill, Moanalua, repeated yester-day, with deadly effect, the daring day-on the late afternoon train by Dr. Cooper, owing to the serious nature of

last. The second victim, also a Jap-anese, lies now in a hospital of this city with two bullet wounds in his ab-Robbery in yesterday's affair, was the motive for the assault, almost the same tactics of Thursday being fol-

The Chinese highwayman, who seems to have committed both crimes, did not escape identification yesterday, and the description now in the hands of the police, it is believed, will result in the footpad landing behind the bars.

HOW THE NEWS CAME.

hill in fifteen minutes. They met no utes later came across the wounded Chinese bicyclist on the road, but found Japanese.

A clew when they came across Charles Joe, a Portuguese working in the Cash, foreman of the Mutual Telephone plantation store, walked from Moanacompany, and a gang of linemen, who lua to the plantation and remembered are erecting new telephone poles and passing Oda, and a few minutes later stringing wires in the Moanalua dispassed the Chinaman, whose bicycle was learner content to the cash force. stringing wires in the Moanalua dis-trict. Cash said that about three

One of the workmen had taken es- The Japanese who was robbed and pecial note of the man and described shot on Thursday is doing well at the him as follows:

about Renear's Tall Chinaman, dark coat, light trousers, canvas shoes with rubber soles; rode a low-frame bicycle with brown rims and open-out handle bars.

Honolulu plantation hospital the Depu- | to investigate.

MANAGER LOW'S STORY.

Manager Low of the Honolulu Plantation stated that the first thing known of the assault was when Mr. Thompson en route to his home in Wahiawa came across Oda lying in the road, bleeding. The Jap was lifted into the wagon and conveyed to the plantation hospital. Oda, who was working a contract at the plantation, had wound up his af-

fairs there yesterday morning, and Manager Low had squared his account, giving him about \$65 in settlement. HOW THE NEWS CAME.

Oda, who intended leaving soon for About a quarter to three yesterday a Japan, started for town. In the after-About a quarter to three yesterday a telephone message from Honolulu plantation announced that another murder had been attempted on the road between S. M. Damon's ranch and water tank and the Honolulu plantation, the exact location being at Pukeekai hill. The victim was at the plantation hospital and Dr. Charles B. Cooper had been summoned to attend him. The message was to the effect that the Jap's assailant was a Chinese, presumably the same who had shot and robbed Fujikawa the day before, for he had a bicycle. It was stated also that the robber after shooting down his victim, who was unarmed, had robbed him of \$62.50, all that he had on his person.

Upon receipt of the information at the police station about 3:15, Officers Renear and McDuffle left the station ing again as he did so, the second ball the police station about 3:15, Officers loosened, and he fell, the Chinaman fir-Renear and McDuffle left the station ing again as he did so, the second ball for Pukeekal on bicycles, and they were taking effect two inches above the first, followed later by Deputy Sheriff Chil- The Chinaman then robbed the helpless lingworth and an Advertiser man in a victim. Mr. Thompson met a Chinabuggy. The two officers arrived at the man on a bicycle and about five minhill in fifteen minutes. They met no utes later came across the wounded

triet. Cash said that about three was leaning against the road fence. It o'clock he and the workmen had seen a must have been less than five minutes Chinese on a bicycle pedaling at a rap- afterward that the assault took place although Joe did not hear shots.

plantation hospital, and is able to walk by Mr. Carter, enear's about, the builet only having pierced white the fleshy part of the left thigh.

A DANGEROUS FEELING.

Since the strike of the 500 Japanese working on shares, a number of Chinese have been employed to carry on the work. The Japs think the footpad OFFICERS FOLLOW TRACKS. the work. The Japs think the footpad is one of them. They say that the The two officers went on to the hill Chinese, wishing to frighten the Japs. where the assault took place, and then off the plantation, have had recourse observed bicycle tracks leading off on to the robbery and revolver methods a small road from the main road, toward the top of the hill. The tracks leved that this would sooner or later were lost here, but it is believed by the rosilicres that the Chinaman chose this wantage ground for the reason that it commanded a view of the main road on either side, and all persons on the road could be sized up. Upon the inroad could be sized up. Upon the in- Oahu prison, who are being sought by function is equally promising. formation given by Cash the two offi- the police. Ah Loy, a former bur-

DRAFT OF KOHALA DITCH FRANCHISE

Governor Dole gave a hearing on his draft of the Kohala ditch license yesterday morning. L. A. Thurston, president of the Board of Agriculture and Forestry, and E. S. Boyd, Commissioner of Public Lands, attended the conference at the request of the Governor. H. B. Gehr, representing the Kohala Ditch Co.; J. T. McCrosson and Fred. Wundenberg, representing the Hawaii Ditch Co. and Samuel Parker's interest; W. O. Smith and Abram Lewis, attorneys, and Frank S. Dodge, surveyor, representing the B. P. Bishop

A. C. Gehr, as on former like occasions, declared he waived none of his claims of prior right to the franchise over all rivals, to which the Governor responded that he was aware of the

There was discussion of various points. After the meeting Governor Dole stated the main features of the license as follows: Term of fifty years, with intervals of readjustment of conditions at twenty and thirty-five years; a percentage of net profits and a fixed annual rental of \$1000, the franchise with conditions as finally settled, to be put up at auction. There will be a stipulation as to the amount of money the purchaser of the franchise shall expend within a given period after the sale.

A LINGERING COUGH may result in consumption. Chamberlain's Cough Remedy cures coughs, colds and influenza. It contains no harmful sub tance and is pleasant and safe to take. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawall.

BEATEN BY

A big brute of a man, a native, was found last night standing over the prostrate form of a woman, who was side in them, are as follows: lying in the street near the Magoon Samuel Parker, Mrs. Cunha and Mrs. Block. The woman was mouning and Bowler. when a police officer came to her assistance, he discovered that she was unable to stand. In answer to his and Miss Irene Dickson.

Candy booth-Mrs. E. D. Tenney, questions, the woman stated that she Miss Rosie Cunha and Ernest Parker, had been beaten by the man, her husband. The patrol wagon was called and the couple were taken to the stu-

The woman on the way said that her husband had left her at home and he had been drinking. His neglect had caused her to leave her room and then the husband had purqued her. On Queen street when no one was near he had struck her with his big fists, kicked her on the thighs and stomach until she was almost unable to breathe and nearly insensible.

At the police station the woman had to sit in a chair while the lieutenant in charge investigated. She mouned with pain, but even then refused to a charge against her husband She said she would give him another

chang A back was called, but the woman's agony was so great that she had to be assisted into it by the police, the husband making no offer to do so. The woman was a fit subject for the

ENCOURAGING.

"Would you marry a Chinaman?" he

hospital.

"Oh, dear," said the girl who is sar-castic replied, "this is so sudden! But I always supposed you merely looked like one."—Chicago Record-Herald.

BOOST TO THE BONDS

Federal Administration Makes Them Bank Security.

Secretary George R. Carter's latest ablegram is neither a complaint nor a query, but contains most gratifying news of Federal aid in enhancing the merits of the Hawalian loan. It came to Treasurer Kepoikai yesterday morning and the following is its text:

"Treasurer decides to accept this issue bonds up to ninety as security for Government deposits and as substitutes for Government bonds to increase circulation. Trust Hawaii appreciates administration's extraordinary favor.

Leave for New York."

It means that national banks may de-

posit the Hawaiian bonds in the United States treasury as security for deposits of United States funds in such banks, also as security for issues of notes by such banks, at the ratio of 100 to 90 between the bonds and either deposits or notes. Considering that United States bonds are at a premium and bear lower interest than the Hawalian bonds, it may be that the Hawalian bonds will have a demand for this particular use even should it be impossible to obtain them at a discount.

Mr. Kepolkai drafted a reply echoing the enthusiastic gratitude of Mr. Carter toward the Washington administra-tion, thus: "We appreciate administration's extraordinary favor and congratulate you on your success.

This was amended by Governor Dole to read: "We appreciate the administration's favorable action and congratulate you

on your success," The security value given to the Hawallan five per cent, bonds is equal to that given to United States four per cent, bonds. United States two per cent, bonds are security at par for de-

posits and note issues It is the opinion of heads of departments at the Territorial Capitol that this action of the Federal administration may cause the Hawaiian loan to be floated at par. Probably Mr. Carter will now be instructed to accept bids for the entire amount, in three portions up to April according

to the original plan.

At all events, it is taken for granted that the success of the loan is certain, which means that much-needed public improvements held back for two years

will soon be undertaken. Mr. W. G. Cooper of the First Na-tional Bank wrote Secretary Shaw some time ago urging the proposition which has now been carried through

GRAND LUAU LAST SATURDAY

Under the folds of Old Glory and the

The gates will be opened at 12 o'clock cers started toward town, and meeting glar, released about two weeks ago, is the Deputy Sheriff, were directed to among the suspects, take the Chinese police officers and The wounded Jap at the Liliha street ing dance. The tickets for afternoon The Deputy Sheriff met Cash and the linemen and offered \$50 to the man and had a disfigured face.

The Woodmand Sap at the Line as the line and the linemen and offered \$50 to the man and had a disfigured face.

The Woodmand Sap at the Line as the line and sap at the line as the line as the line and sap at the line as who could locate the fugitive.

At Pukeekal Deputy Sheriff Fernandez and several officers of the plantation district were met, all mounted. At the Honolulu plantation hospital the Deputy is a special inducement to lovers of the plantation district were met, all mounted. At the Honolulu plantation hospital the Deputy is investigated. and deuxtemps. A quintette club will furnish dance music. By permission of Gov. Dole the Territorial band will play during the afternoon,

The preparations for the bazaar are A BRUTE elaborate and there will be much for sale in the various booths. A special elaborate and there will be much for effort to amuse the children will be made at the Juvenile booth, which is conducted by the wives of physicians. The booths and those who will pre-

Baby booth-Princess Kawananakoa Flower booth-Miss Alice Campbell

Gypsy booth-This will be presided over by an unknown, mysterious for-

tune-teller. Kilokilo booth-Mrs. Hattle Hiram. Pedro booth-Mrs. H. Focke, Lemonade-Mrs. Geo. C. Beckley,

Coffee-Mrs. T. J. King. Ice cream-Mrs. Freeth. Luau tables—President's table, Mrs. Keohokalole and Mrs. J. Clark; Mrs. M. R. Reis, Mrs. E. S. Boyd, Mrs. S.

Kamajopili and Mrs. Halli. Foreign lunch table-Mrs. F. W. Mrs. George Herbert and Mrs. H. G. Noonan constitute the decoration com-

Waiting for Supreme Court,

It is probable that the County Committee will await the result of the appeal to the Supreme Court on the registration matter before taking action. Should Judge Hardy be sustained, which is not likely, a voter who did not register last year will ask for a writ of mandamus in the Fourth Circuit Court. It is said there is absolute-